

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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Ceme-Tube LLC,

22-cv-703-wmc

Plaintiff,

v.

Chroma Color Corporation,

The Charter Oak Fire Insurance Company, a  
subsidiary of The Travelers Indemnity  
Company,

State Automobile Mutual Insurance Company,  
a subsidiary of Liberty Mutual Group, and

Selective Insurance Company of South  
Carolina, a subsidiary of Selective Insurance,

Defendants.

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**PLAINTIFF'S REPLY TO THE CHARTER OAK FIRE INSURANCE COMPANY'S  
COUNTERCLAIM AND CROSS-CLAIM FOR DECLARATORY JUDGMENT ON  
INSURANCE COVERAGE ISSUES**

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**NOW COMES THE PLAINTIFF**, Ceme-Tube, LLC, and for its Answer to the Counterclaim and Cross-Claim of The Charter Oak Fire Insurance Company's ("Charter Oak"), states and alleges as follows:

1. Unless herein admitted, explained or qualified, each and every thing, allegation and matter contained in Charter Oak's Counterclaim and Cross-Claim is denied.

2. With respect to Paragraph 66 of the Counterclaim and Cross-Claim, Ceme-Tube lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies the same putting Charter Oak to the strict proof therein.

3. With respect to Paragraph 67 of the Counterclaim and Cross-Claim, these allegations seek a legal conclusion for which no response is required. If there is a response required, then Ceme-Tube admits the allegations contained therein.

4. Ceme-Tube admits the allegations in Paragraph 68 of the Counterclaim and Cross-Claim on information and belief.

5. With respect to Paragraphs 69 through 70 of the Counterclaim and Cross-Claim, Ceme-Tube lacks knowledge or information sufficient to form a belief as to the truth of these allegations and therefore denies the same putting Charter Oak to its strict proof therein.

6. With respect to Paragraphs 71 through 81 of the Counterclaim and Cross-Claim, Ceme-Tube denies the allegations contained therein.

**WHEREFORE**, Ceme-Tube LLC prays for judgment as follows:

1. For dismissal of the Counterclaim and Cross-Claim for declaratory judgment on insurance coverage issues filed by Charter Oak;
2. Taxing costs, disbursements and attorney's fees as allowed by law;
3. Such other further relief as the Court deems just and equitable.

Dated: August 2, 2023

LOMMEN ABDO, P.A.

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